

DECLARATION FOR PATENT APPLICATION

Docket Number: MSA-010.02

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIAGNOSTICS AND THERAPEUTICS FOR DISEASES ASSOCIATED WITH AN IL-1 INFLAMMATORY HAPLOTYPE

the specification of which (check one): ☐ is attached hereto.
☒ (X) was filed on June 30, 1999 as United States Application
Number 09/345,217 and was amended on _____ (if
applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
<u>PCT/GB98/01481</u> (Number)	<u>PCT</u> (Country)
<u>9711040.7</u> (Number)	<u>GB</u> (Country)

			Priority Claimed
<u>21 May 1998</u> (Day/Month/Year Filed)			(X) Yes () No
<u>29 May 1997</u> (Day/Month/Year Filed)			(X) Yes () No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

(Application Number) (Filing Date)

(Application Number) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number) (Filing Date) (Status: patent, pending, abandoned)

(Application Number) (Filing Date) (Status: patent, pending, abandoned)

I hereby appoint Beth E. Arnold, Reg. No. 35,430; Paula Campbell, Reg. No. 32,503, Charles H. Cella, Reg. No. 38,099; Isabelle M. Clauss, Reg. (see attached); Edward J. Kelly, Reg. No. 38,936; Donald W. Muirhead, Reg. No. 33,978; Chinh Pham, Reg. No. 39,329; Karoline Shair, Reg. No. 44,332, Diana Steel, Reg. No. 43,153, Matthew P. Vincent, Reg. No. 36,709; and Anita Varma, Reg. No. 43,221 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Beth E. Arnold at telephone number (617) 832-1000.

Address all correspondence to: Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109-2170

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Gordon W. Duff

Inventor's signature

Date

18 Ashgate Road, Sheffield S10 3BZ ENGLAND

Residence

U.K.

Citizenship

Post Office Address (if different)

Full name of second or joint inventor (given name, family name): Angela Cox

Inventor's signature

Date

2 Melbourne Road, Crookes, Sheffield S10 1NS ENGLAND

Residence

U.K.

Citizenship

Post Office Address (if different)

Full name of third or joint inventor, if any, (given name, family name): Nicola Jane Camp

Inventor's signature

Date

26 Wynyard Road, Hillsborough, Sheffield ENGLAND

Residence

U.K.

Citizenship

Post Office Address (if different)

I hereby appoint Beth E. Arnold, Reg. No. 35,430; Paula Campbell, Reg. No. 32,503, Charles H. Cella, Reg. No. 38,099; Isabelle M. Clauss, Reg. (see attached); Edward J. Kelly, Reg. No. 38,936; Donald W. Muirhead, Reg. No. 33,978; Chinh Pham, Reg. No. 39,329; Karoline Shair, Reg. No. 44,332, Diana Steel, Reg. No. 43,153, Matthew P. Vincent, Reg. No. 36,709; and Anita Varma, Reg. No. 43,221 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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Inventor's signature

Date

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Residence

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Post Office Address (if different)

Full name of second or joint inventor (given name, family name): Angela Cox

Inventor's signature

Date

2 Melbourne Road, Crookes, Sheffield S10 1NS ENGLAND

U.K.

Residence

Citizenship

Post Office Address (if different)

Full name of third or joint inventor, if any, (given name, family name): Nicola Jane Camp

Inventor's signature

10/01/99

Date

2345 E Campus Drive, Salt Lake City, UT 84121 USA

26 Wynyard Road, Hillsborough, Sheffield ENGLAND

U.K.

Residence

Citizenship

Post Office Address (if different)

Full name of fourth or joint inventor, if any, (given name, family name): Francesco S. di Giovine

Francesco di Giovine

1/10/99

Inventor's signature

Date

3 Tetney Road, Ranmoor, Sheffield, S10 3GZ ENGLAND

IT

Residence

Citizenship

Post Office Address (if different)

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket No.: MSA-010.02

Applicant or Patentee: Gordon W. Duff, Angela Cox, Nicola Jane Camp and Francesco S. di Giovine
Serial or Patent No.: 09/345,217
Filed or Issued: June 30, 1999
Title: DIAGNOSTICS AND THERAPEUTICS FOR DISEASES ASSOCIATED
WITH AN IL-1 INFLAMMATORY HAPLOTYPE

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Interleukin Genetics, Inc.
ADDRESS OF SMALL BUSINESS CONCERN 100 NE Loop 410, Suite 820
San Antonio, TX 78216-4749

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern with would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Kenneth S. Kornman

TITLE OF PERSON IF OTHER THAN OWNER President & Chief Scientific Officer

ADDRESS OF PERSON SIGNING 100 NE Loop 410, Suite 820, San Antonio, TX 78216-4749

SIGNATURE Kenneth S. Kornman DATE 21-Sept-99